

--	--

- [Query](#)
- [Reports](#)
- [Utilities](#)
- [Logout](#)

CLOSED, TYPE-I

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:08-cv-00077-FJS**

JORDAN-SAGASTUME v. UNITED STATES  
DEPARTMENT OF HOMELAND SECURITY  
Assigned to: Judge Frederick J. Scullin, Jr  
Cause: 05:552 Freedom of Information Act

Date Filed: 01/15/2008  
Date Terminated: 08/24/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CARLOS FRANCISCO JORDAN-  
SAGASTUME**

represented by **Charles D. Tobin**  
HOLLAND & KNIGHT, LLP  
2099 Pennsylvania Avenue, NW  
Suite 100  
Washington, DC 20006-6801  
(202) 955-3000  
Fax: (202) 955-5564  
Email: ctobin@hklaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Drew E. Shenkman**  
HOLLAND & KNIGHT, LLP  
2099 Pennsylvania Avenue, NW  
Suite 100  
Washington, DC 20006-6801  
(202) 419-2443  
Email: drew.shenkman@hklaw.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY**

represented by **Charlotte A. Abel**  
UNITED STATES ATTORNEY'S  
OFFICE  
501 Third Street, NW  
4th Floor  
Washington, DC 20001  
(202) 307-2332  
Fax: (202) 514-8780  
Email: charlotte.abel@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Wynne Patrick Kelly**  
U.S. Attorney's Office  
Civil Division  
555 Fourth St., N.W.  
Washington, DC 20530  
(202) 307-2332  
Fax: (202) 514-8780  
Email: wynne.kelly@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Brian P. Hudak**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 514-7143  
Email: brian.hudak@usdoj.gov  
*TERMINATED: 08/25/2010*

Date Filed	#	Docket Text
01/15/2008	<a href="#"><u>1</u></a>	COMPLAINT against UNITED STATES DEPARTMENT OF HOMELAND SECURITY ( Filing fee \$ 350, receipt number 4616009547) filed by CARLOS FRANCISCO JORDAN-SAGASTUME. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Table of Exhibits, # <a href="#"><u>3</u></a> Exhibit s)(lc, ) (Entered: 01/17/2008)
01/15/2008		SUMMONS (3) Issued as to UNITED STATES DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (lc, ) (Entered: 01/17/2008)

02/14/2008	<a href="#">2</a>	NOTICE of Appearance by Brian P. Hudak on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Hudak, Brian) (Entered: 02/14/2008)
02/14/2008	<a href="#">3</a>	Consent MOTION for Extension of Time to File Answer by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <a href="#">1</a> Text of Proposed Order)(Hudak, Brian) (Entered: 02/14/2008)
02/19/2008		MINUTE ORDER: It is hereby ORDERED that defendant's consent motion <a href="#">3</a> for an extension of time until March 7, 2008 to respond to the complaint be, and hereby is, GRANTED. Signed by Judge Richard W. Roberts on 2/19/08. (lcrwr2) (Entered: 02/19/2008)
02/19/2008		Set/Reset Deadlines: Answer due by 3/7/2008. (lin, ) (Entered: 02/19/2008)
03/07/2008	<a href="#">4</a>	WITHDRAWN BY DEFENDANTS' COUNSEL ON 08/14/2008..... MOTION to Stay by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Text of Proposed Order)(Hudak, Brian) Modified on 8/15/2008 (tr, ). (Entered: 03/07/2008)
03/17/2008	<a href="#">5</a>	Memorandum in opposition to re <a href="#">4</a> MOTION to Stay filed by CARLOS FRANCISCO JORDAN-SAGASTUME. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D)(Tobin, Charles) (Entered: 03/17/2008)
03/27/2008	<a href="#">6</a>	REPLY to opposition to motion re <a href="#">4</a> MOTION to Stay filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <a href="#">1</a> Exhibit A (Bellissime Supp. Decl.))(Hudak, Brian) (Entered: 03/27/2008)
08/05/2008	<a href="#">7</a>	NOTICE of Government's Failure to Comply With Representations Made in Support of its Motion for Stay by CARLOS FRANCISCO JORDAN-SAGASTUME (Tobin, Charles) (Entered: 08/05/2008)
08/14/2008	<a href="#">8</a>	NOTICE OF WITHDRAWAL OF MOTION by UNITED STATES DEPARTMENT OF HOMELAND SECURITY re <a href="#">4</a> MOTION to Stay (Hudak, Brian) (Entered: 08/14/2008)
08/14/2008	<a href="#">9</a>	Joint MOTION to Set Schedule by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <a href="#">1</a> Text of Proposed Order)(Hudak, Brian) (Entered: 08/14/2008)

08/15/2008	<a href="#"><u>10</u></a>	ORDER granting parties' joint motion <a href="#"><u>9</u></a> to set a schedule. Vaughn index and/or defendant's dispositive motion due 9/19/08; plaintiff's opposition and cross-motion for summary judgment due 10/17/08; defendant's reply and opposition to plaintiff's cross motion due 11/3/08; plaintiff's reply in support of his cross-motion due 11/17/08. Signed by Judge Richard W. Roberts on 8/15/08. (lcrwr2) (Entered: 08/15/2008)
08/19/2008		Set/Reset Deadlines: Cross Motions due by 10/17/2008. Response to Cross Motions due by 11/3/2008. Reply to Cross Motions due by 11/17/2008. Dispositive Motions due by 9/19/2008. Response to Dispositive Motions due by 10/17/2008. Reply to Dispositive Motions due by 11/3/2008. (lin, ) (Entered: 08/19/2008)
09/19/2008	<a href="#"><u>11</u></a>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <a href="#"><u>1</u></a> Statement of Facts, # <a href="#"><u>2</u></a> Exhibit 1 (Welsh Decl. with Exs. A-F), # <a href="#"><u>3</u></a> Exhibit 1 cont. (Welsh Decl. Ex G - Vaughn Index), # <a href="#"><u>4</u></a> Text of Proposed Order)(Hudak, Brian) (Entered: 09/19/2008)
10/17/2008	<a href="#"><u>12</u></a>	Memorandum in opposition to re <a href="#"><u>11</u></a> MOTION for Summary Judgment filed by CARLOS FRANCISCO JORDAN-SAGASTUME. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2(A-D), # <a href="#"><u>3</u></a> Exhibit 2(E-F), # <a href="#"><u>4</u></a> Exhibit 2(G), # <a href="#"><u>5</u></a> Exhibit 2(H, Part 1), # <a href="#"><u>6</u></a> Exhibit 2 (H, Part 2), # <a href="#"><u>7</u></a> Exhibit 2 (I-L), # <a href="#"><u>8</u></a> Exhibit 3, # <a href="#"><u>9</u></a> Text of Proposed Order) (Tobin, Charles) (Entered: 10/17/2008)
10/17/2008	<a href="#"><u>13</u></a>	Cross MOTION for Summary Judgment <i>or, in the alternative</i> , MOTION for Discovery by CARLOS FRANCISCO JORDAN-SAGASTUME (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2 (A-D), # <a href="#"><u>3</u></a> Exhibit 2 (E-F), # <a href="#"><u>4</u></a> Exhibit 2 (G), # <a href="#"><u>5</u></a> Exhibit 2 (H, Part 1), # <a href="#"><u>6</u></a> Exhibit 2 (H, Part 2), # <a href="#"><u>7</u></a> Exhibit 2 (I-L), # <a href="#"><u>8</u></a> Exhibit 3, # <a href="#"><u>9</u></a> Text of Proposed Order)(Tobin, Charles) (Entered: 10/17/2008)
11/03/2008	<a href="#"><u>14</u></a>	Unopposed MOTION for Extension of Time to File Response/Reply by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(Hudak, Brian) (Entered: 11/03/2008)
11/05/2008		MINUTE ORDER: It is hereby ORDERED that defendant's unopposed motion <a href="#"><u>14</u></a> for an extension of time to file its response be, and hereby is, GRANTED. Defendant's reply and opposition are due by November 10, 2008. Plaintiff's reply is due by November 24, 2008.Signed by Judge Richard W. Roberts on 11/4/08. (lcrwr2) (Entered: 11/05/2008)
11/05/2008		Set/Reset Deadlines: Responses due by 11/10/2008 Replies due by 11/24/2008. (lin, ) (Entered: 11/05/2008)

11/10/2008	<a href="#">15</a>	Memorandum in opposition to re <a href="#">13</a> Cross MOTION for Summary Judgment <i>or, in the alternative</i> MOTION for Discovery <i>and Reply In Further Support of Defendant's Motion for Summary Judgment</i> filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <a href="#">1</a> Exhibit A (Supp. Welsh Decl.), # <a href="#">2</a> Exhibit B (System Notices), # <a href="#">3</a> Exhibit C (A-File System Notice), # <a href="#">4</a> Exhibit D (Class. System), # <a href="#">5</a> Exhibit E (Doc. No. 106), # <a href="#">6</a> Exhibit F (Doc. No. 114), # <a href="#">7</a> Exhibit G (Doc. No. 123), # <a href="#">8</a> Statement of Facts (Response))(Hudak, Brian) (Entered: 11/10/2008)
11/10/2008	<a href="#">16</a>	REPLY in support of re <a href="#">11</a> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (See Docket Entry <a href="#">15</a> to view document) (jf, ) (Entered: 11/12/2008)
11/24/2008	<a href="#">17</a>	REPLY to opposition to motion re <a href="#">11</a> MOTION for Summary Judgment, <a href="#">13</a> Cross MOTION for Summary Judgment <i>or, in the alternative</i> MOTION for Discovery filed by CARLOS FRANCISCO JORDAN-SAGASTUME. (Attachments: # <a href="#">1</a> Exhibit A)(Tobin, Charles) (Entered: 11/24/2008)
01/30/2009	<a href="#">18</a>	NOTICE OF SUPPLEMENTAL AUTHORITY by CARLOS FRANCISCO JORDAN-SAGASTUME (Attachments: # <a href="#">1</a> Exhibit A)(Tobin, Charles) (Entered: 01/30/2009)
01/30/2009	<a href="#">19</a>	RESPONSE re <a href="#">18</a> NOTICE OF SUPPLEMENTAL AUTHORITY filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Hudak, Brian) (Entered: 01/30/2009)
08/25/2010	<a href="#">20</a>	NOTICE OF SUBSTITUTION OF COUNSEL by Charlotte A. Abel on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY Substituting for attorney Brian P. Hudak (Abel, Charlotte) (Entered: 08/25/2010)
03/25/2011	<a href="#">21</a>	NOTICE of Appearance by Wynne Patrick Kelly on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Kelly, Wynne) (Entered: 03/25/2011)
03/28/2011	<a href="#">22</a>	NOTICE OF SUPPLEMENTAL AUTHORITY by CARLOS FRANCISCO JORDAN-SAGASTUME (Attachments: # <a href="#">1</a> Milner v. Dep't of the Navy 562 U.S. __ (Mar. 7, 2011) (Slip. Op.))(Tobin, Charles) (Entered: 03/28/2011)
03/28/2011	<a href="#">23</a>	NOTICE of Appearance by Drew E. Shenkman on behalf of CARLOS FRANCISCO JORDAN-SAGASTUME (Shenkman, Drew) (Entered: 03/28/2011)

07/18/2011	<a href="#">24</a>	ORDER by Chief Justice of the United States Supreme Court directing the designation and assignment of a United States District Judge for service in another circuit; assigning Judge Frederick J. Scullin, Jr. of the U.S. District Court for the Northern District of New York to the following cases: 10cv1646,08cv1199,09cv1482,10cv985,10cv2109,09cv96,06cv1216,02cv603,08cv77, and 06cv1652. (Signed by Chief Justice John D. Roberts on 7/1/11) (Entered: 07/18/2011)
07/18/2011	<a href="#">25</a>	Case Reassigned to Judge Frederick J. Scullin, Jr. Judge Richard W. Roberts no longer assigned to the case. (jeb, ) (Entered: 07/18/2011)
07/18/2011		TEXT SCHEDULING NOTICE : An In Person Status Conference is set for 7/22/2011 11:00 AM in Chambers 6333 before Judge Frederick J. Scullin Jr.. (Scullin, Frederick) (Entered: 07/18/2011)
07/22/2011		Minute Entry for proceedings held before Judge Frederick J. Scullin, Jr: In Person Status Conference held on 7/22/2011. Counsel meets in chambers to discuss status of case. Pltfs counsel advises that his client may have been deported and does not know whether or not he has exhausted all of his appeals. Counsel will contact his client and report back to the Court at a telephone conference to be held on 8/16/2011. At that time the Court will discuss what claims, if any, remain in dispute. APP: Charles Tobin, Esq. and Drew Shenkman, Esq. for Pltf; Wynne Kelly, AUSA. LC: DEM. (Scullin, Frederick) (Entered: 07/25/2011)
07/25/2011		TEXT SCHEDULING NOTICE: Telephone Conference set for 8/16/2011 10:00 AM before Judge Frederick J. Scullin Jr. Plaintiff's counsel is responsible for initiating the conference call. Judge Scullin's chambers may be reached at 202-354-3500. (Scullin, Frederick) (Entered: 07/25/2011)
08/15/2011		NOTICE TO COUNSEL by COURT: As the Court has been notified by plaintiff's counsel that the parties have agreed to dismiss this case, the telephone conference set for 8/16/2011 is cancelled. The parties are directed to file a stipulation of discontinuance. (Scullin, Frederick) (Entered: 08/15/2011)
08/15/2011	<a href="#">26</a>	STIPULATION of Dismissal <i>Without Prejudice</i> by CARLOS FRANCISCO JORDAN-SAGASTUME. (Tobin, Charles) (Entered: 08/15/2011)
08/23/2011	<a href="#">27</a>	STIPULATION AND ORDER of DISMISSAL without prejudice.. Signed by Judge Frederick J. Scullin, Jr on 8/23/2011. (Scullin, Frederick) (Entered: 08/23/2011)

**PACER Service Center**

**Transaction Receipt**

09/23/2011 11:42:57

<b>PACER Login:</b>	pb0232	<b>Client Code:</b>	foiaproj
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:08-cv-00077-FJS
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.32